

EXHIBIT 8
DATE 2/4/2009
HB 276

Valley County

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David Reinhardt, Chairman
Bruce H. Peterson, Member
David L. Pippin, Member

February 3, 2009

TO: Ron Stoker, Chair
Montana House of Representatives Judiciary Committee

RE: House Bill 276, Detainee Medical Bill
Summation of Testimony on behalf of Valley County

1. The essence of this bill is the shifting of cost and responsibility from hospitals to county governments. This shift is not justified and will be a serious burden to our county.
2. This bill will make the county liable for medical bills of a person that is not under arrest, but "would likely to be placed under arrest..." - a phrase that is very ambiguous. The county accepts responsibility if the person is under arrest, but to establish county responsibility using the ambiguous language of this bill is not correct and will assuredly lead to numerous litigations across this state.
3. The removal of the hospital's responsibility to try and collect bills, their obligation to explain (negotiate) bills, and the requirement that a county get this done in 30 days (change from 120 days) are all to the benefit of the hospital. We seriously question why the hospital is suddenly absolved of these normal business duties, and wonder why the burden shifts to the county. Hospitals do not have to give effort for collection because they know that counties will be forced by HB 276 to pay a guaranteed amount, with no questions allowed by the county.
4. A very disturbing part of HB 276 is the requirement that the county would be responsible for preexisting conditions Section 1(2)(b). What possible justification can there be that would make the county responsible for these conditions?
5. This bill tells counties that hospital staff, not law enforcement, will determine level of security - Section 1(4)(c). Security level should be a decision of experts, i.e. law enforcement, not hospital staff.
6. There are times that counties are, and should, be responsible for enforcing and paying for consequences of MCA, but there certainly is room to question why this state mandate, if it were to pass, should be financed by counties.

7. Language in the fifth WHEREAS, line 22, leads us to wonder if a financially desperate county, or neighboring state, might be able to ship potential problem cases to other counties and then receiving counties would be responsible for the mandates associated with this legislation.

8. Valley County is especially concerned with the cost consequences of HB 276 because we face the financial disaster arising from the December 2008 Montana Supreme Court ruling regarding Omimex Canada, Ltd. That ruling as it stands will cost Valley County schools and government approximately 25% of Valley County tax collections.

9. An analogy, instead of a hospital, what if we said we were talking about a business.

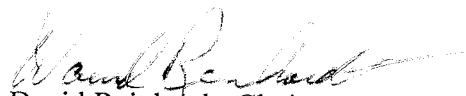
A local business would have the ability to send a monthly bill to a person, but HB 276:

- a - requires that the county will be the one to try and collect the bill, and do so within 30 days, and
- b - requires that, if not collected within 30 days, the county taxpayers will pay the debt, and
- c - requires that the county will not only pay the bill, but also pay any preexisting debt, and
- d - will not allow the county to look at an itemization of the bill or question the charges on the bill.

This just does not seem right to those of us in Valley County.

Thank you for your assistance.

Sincerely,



David Reinhardt, Chairman
Valley County Commissioners

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